

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: TFT-LCD (FLAT PANEL)
 ANTITRUST LITIGATION

No. M:07-1827 SI
 MDL No. 1827

This Document Relates To:
 ALL CASES

**[PROPOSED] ORDER
 GRANTING STIPULATED REQUEST
 FOR ORDER MODIFYING
 DISCOVERY STAY**

For good cause shown and based on the Joint Stipulation of the Parties for Order Modifying Discovery Stay, filed February 22, 2008 (the "Stipulation"), which was entered in connection with resolving the Indirect Purchaser Plaintiffs' October 19, 2007 Notice of Motion and Motion to Modify the September 25, 2007 Stay Order to Permit Limited Additional Discovery and which motion has previously been withdrawn, the Court hereby grants the parties' request for an Order as follows:

1. That Paragraph 5 of the September 25, 2007 Order Granting United States' Motion to Stay Discovery (the "September 25, 2007 Stay Order") shall be modified and replaced in its entirety with the following new Paragraph 5 in order to permit certain additional discovery:

(a) No depositions may be taken, except that depositions may be taken of defendants' customers or suppliers, or their employees, provided in any case that the deponent is not a defendant or a subsidiary or affiliate of a defendant, or an employee, agent, or former employee of any of them. Such deposition subpoenas may include requests for documents to be produced by the deponent at the deposition, provided that no document requests may request the identification of documents produced in response to a grand jury subpoena or the production of documents disclosing the contents of the witness' testimony, if any, before the

1 grand jury or communications with the United States relating to the grand jury
2 proceedings.

3 (b) During the period of the stay, the parties may serve on trade
4 associations and other third parties, provided in any case that such persons or
5 entities are not a defendant or a subsidiary or affiliate of a defendant, or an
6 employee, agent, or former employee of any of them, Rule 45(c) subpoenas or
7 deposition subpoenas or other discovery devices requiring the retention of records
8 during the pendency of the stay of discovery but commanding the witness not to
9 produce any documents, testimony, or other information until being notified in
10 writing that the stay of discovery has been lifted as to those discovery requests;
11 and

12 2. That the September 25, 2007 Stay Order shall not be further modified prior to the
13 Discovery Status Conference set for May 21, 2008, at 2:00 p.m., in this action, based on a non-
14 consented-to motion or request by a party, unless the requested modification is supported by a
15 showing of good cause based on a change in circumstances occurring after December 21, 2007.

16 **IT IS SO ORDERED.**

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18 Dated: _____



19 HON. SUSAN ILLSTON
20 United States District Judge
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